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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 004974

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TAGS: [PREL](#) [PINS](#) [KISL](#) [MY](#) [RP](#)

SUBJECT: TERRITORY REMAINS KEY ISSQ FOR GRP-MILF PEACE
TALKS

REF: A. MANILA 4836
[B](#). MANILA 4802
[C](#). MANILA 4721
[D](#). MANILA 4656

Classified By: Pol/C Scott Bellard for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Despite a favorable reaction by the Moro Islamic Liberation Front (MILF) to the Philippine Peace Panel's recent offer of self-determination, territory remains a key issue. MILF negotiators are compiling a new list of barangays to include in a Bangsamoro Juridical Entity (BJE) for the next round of exploratory talks in Kuala Lumpur during January. However, Philippine officials continue to believe that inclusion of any territory within or outside of the Autonomous Region in Muslim Mindanao (ARMM) in a BJE will require a constitutional process, including Congressional approval and a plebiscite or referendum, both of which remain unacceptable to the MILF. Moreover, ethnic Tausugs likely will have trouble accepting any ancestral domain agreement covering the Sulu Archipelago, at least without a buy-in by the Moro National Liberation Front (MNLF).

Territory Remains Key Issue

[1](#)2. (C) Executive Director of the Philippine Peace Negotiations Panel Secretariat Ryan Sullivan told poloff on December 11 that territory remains a key issue in the peace talks, despite a favorable reaction from the MILF to the Philippine offer of self-determination (ref a). According to Sullivan, informal discussions between both parties in Kuala Lumpur ended on December 1, still focusing on the number of barangays to include in a Bangsamoro Juridical Entity (BJE), with significant differences of view. Sullivan admitted that the Philippine offer of some 300 barangays in Muslim-dominated areas contiguous to the Autonomous Region in Muslim Mindanao (ARMM) and the granting of ancestral domain land titles for an additional 300 barangays in non-contiguous Muslim-dominated areas was still unacceptable to the MILF.

[1](#)3. (C) Sullivan added that, while the MILF agreed to pare down its list of desired barangays (more than 3,000) before the 14th Round of Exploratory Talks in Kuala Lumpur in January 2007, the new list would likely exceed what would be acceptable to the Philippine Government.

Continued obstacles

[1](#)4. (C) Sullivan also reconfirmed that inclusion of the ARMM and/or any territory outside of the ARMM in a BJE would

require Congressional approval and a plebiscite or referendum. Gaining a majority vote in both the House and the Senate to rescind the ARMM Organic Act (Republic Act 9054) and pass enabling legislation for a BJE would depend on the composition of the new houses of Congress following the May 2007 elections. He admitted that the Administration would likely have to undertake "intense lobbying," a task made more difficult by the absence of good records on individual voting patterns within Congress and the Senate.

15. (C) Sullivan observed that an eventual peace agreement that creates a BJE encompassing ethnic Tausugs in the Sulu Archipelago against their will is likely to unravel. He commented that the MILF would have to accommodate the Tausug-dominated MNLF for there to be lasting peace in the region.

COMMENT

16. (C) While the Philippine offer of self-determination to the MILF appears to have created more space and a slight new momentum in the peace talks, the deep divide over territory and constitutional processes remains. Bridging the divide will still require some major compromises that neither party -- at least at this juncture -- is yet willing or able to make.

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